



Compliance Guide for New Regulations for Small Businesses

COMAR 10.52.06 Use of Tanning Devices by Minors

- *What does this regulation do?*

The purpose of this proposal is to amend COMAR 10.52.06, Use of Tanning Devices by Minors, to prohibit minors from using ultraviolet radiation-emitting tanning devices in tanning facilities. This proposal also requires tanning facilities to post a notice of the new age limits on tanning and repeals the obsolete requirement to keep records of minors who used tanning facilities.

- *Who is Subject to the new regulation?*

"Tanning facility" means any place where a tanning device is used for a fee, membership dues, or other compensation. These regulations do not apply to the use of phototherapy devices used or ordered by health professionals trained in the diagnosis or treatment of disease or injury.

- *Why were the new regulations adopted?*

To implement statutory requirements pursuant to Ch. 440 and 441 of the Acts of 2019 (HB 124 / SB 299).

- *When are the regulations effective?*

The changes made by statute are effective and enforceable as of October 1, 2019. The regulations will be effective late 2019 or early 2020.

- *Is funding available to implement new requirements established by the regulation?*

Funding is not required to implement the proposed amendments to COMAR 10.52.06.

- *Are there other resources available for implementing the requirements of the regulation?*

The Department has made available the required notice for tanning facilities to use. The notice needs to be conspicuously placed and clearly visible.

- *Is there assistance available to help understand the requirements of the regulation?*

Questions can be directed to the Environmental Health Helpline at 1-866-703-3266 or mdh.envhealth@maryland.gov.

Key Terms and Definitions

"Minor" means an individual younger than 18 years old.

"Phototherapy device" means any equipment that emits ultraviolet radiation and is used in the diagnosis or treatment of disease or injury.

"Tanning device" means any equipment that emits radiation used for tanning of the skin, including sunlamps, tanning booths, or tanning beds.

"Tanning facility" means any place where a tanning device is used for a fee, membership dues, or other compensation.